

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to  
Group Art Unit 2834, 703-872-9306 addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Donna V. Mullan

Date: January 26, 2004

PETITION UNDER 37 CFR 1.313(b)(5)

Patent  
36856.639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jun TABOTA	Art Unit: 2834
Serial No.: 09/973,600	
Filed: October 9, 2001	Examiner: T. Dougherty
Title: ACCELERATION SENSOR	

PETITION UNDER 1.313(b)(5) TO WITHDRAW APPLICATION FROM ISSUE

Mail stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(b)(v), Applicant hereby petitions to withdraw the above-identified patent application from issue in order to have the Patent Office consider the concurrently filed Information Disclosure Statement and three prior art references cited therein.

Applicant has also filed herewith a Request for Continued Examination for this application to have the Information Disclosure Statement and the three (3) prior art

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references cited therein considered by the Examiner and cited among the References Cited on the patent to issue from this application.

Applicant has enclosed a credit card authorization form in the amount of \$130.00 to pay the Fee due under 37 CFR § 1.17(h) for filing this Petition.

Applicant authorizes the Commissioner to charge Deposit Account No. 50-1353 for any additional amounts owed in relation to this patent application.

Respectfully submitted,

Date: January 26, 2004

A handwritten signature in dark ink, appearing to read 'J. R. Keating', is written over a horizontal line.

Joseph R. Keating  
Attorney for Applicant(s)  
Reg. No. 37,368

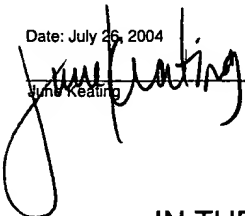
**KEATING & BENNETT LLP**  
10400 Eaton Place, Suite 312  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 26, 2004

  
June Keating

PATENT  
36856.639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yuichi TAKAMINE	Art Unit: 2837
Serial No.: 10/163,846	Examiner: M. Budd
Filing Date: June 06, 2002	
For: SURFACE ACOUSTIC WAVE DEVICE	

REQUEST TO HAVE PREVIOUS ISSUE FEE APPLIED TO NEW ISSUE FEE

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In response to the decision to grant the petition filed January 26, 2004, Applicants hereby request that the Issue Fee and Publication Fee paid on November 21, 2003 be applied to the new Issue Fee, due to be paid on or before July 28, 2004.

Applicants enclose the new Issue Fee Transmittal Form PTOL-85 and attach a copy of the petition to withdraw the above-identified application from issue after payment of the issue fee, dated January 26, 2004, which was subsequently granted.

Serial No. 09/973,600  
July 26, 2004  
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The Commissioner of Patents is authorized to charge any amount due, or credit any overpayment, to Deposit Account No. 50-1353

Respectfully submitted,

  
\_\_\_\_\_  
Attorneys for Applicant

Date: July 26, 2004

Joseph R. Keating  
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Christopher A. Bennett  
Registration No. 46,710

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